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Thomas and James Thomas

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re:)	Case No.: 2011-10912
)	
Jamie Thomas and)	DCN: KB-8
)	
James Thomas,)	Chapter 11
)	
)	Date: 11/29/2011
)	Time: 2 PM
)	Place: Bankruptcy Court, 1st Floor,
)	1300 18th St, Bakersfield, CA
Debtors.)	Judge: Whitney Rimel

**FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING
CONFIRMATION OF PLAN OF REORGANIZATION FILED BY DEBTORS**

I. Introduction

Confirmation of the Debtors' Plan of Reorganization ("Plan") filed by JAMIE THOMAS and JAMES THOMAS ("Debtors") on May 26, 2011, came on for hearing on November 29, 2011, at 2:00 p.m. after notice to Debtors, the United States Trustee, all creditors, and parties requesting special notice. Kirk Brennan, esq. of California Law Office, P.C., appeared for the Debtors, Erica Loftis, esq. appeared for creditor Saxon Mortgage Services, Inc., servicer for Wilmington Trust Company, and Robin Tubesing, esq. appeared for the US Trustee.

The Court reviewed the Plan, the Exhibits in Support of the Plan, the Amended Worksheet for Determining Acceptance or Rejection of Plan of Reorganization Filed Under Chapter 11 of the Bankruptcy Code, the Amended Memorandum of Points and Authorities in Support of Confirmation of Plan of Reorganization Filed by Debtors ("the Memorandum of Points and Authorities"), the Declaration of James Thomas in Support of Confirmation of Plan of Reorganization Filed by Debtors ("the Declaration of James Thomas"), the Ballots on Debtors' Plan of Reorganization (the "Ballots"), and considered the comments made on the record by counsel for Debtors, counsel for Saxon Mortgage Services, Inc., and counsel for the US Trustee.

After determining that copies of the Plan and the Disclosure Statement approved by the Court had been served on Debtor, the United States Trustee, all creditors, parties in interest, and parties requesting special notice, the Court makes the following findings as more fully described on the record at the hearing held on November 29, 2011:

II. Findings of Fact and Conclusions of Law

1. Debtors' Plan of Reorganization Under Chapter 11 of the Bankruptcy Code filed on May 26, 2011 complies with the applicable provisions of Chapter 11 of the Bankruptcy Code and meets the requirements of 11 U.S.C. § 1129 as more fully described below;

2. The Plan has been proposed in good faith and not by any means forbidden by law;
3. Any payment made or promised by Debtor or the estate for the services or for costs and expenses incurred in connection with the case, or in connection with the Plan and incident to the case, have been disclosed to the Court;
4. Each holder of a claim or interest of an impaired class that has accepted the Plan has, or will, receive or retain under the Plan property of a value, as of the Effective date of the Plan, that is not less than the amount that such holder would receive or retain if the estate was liquidated under Chapter 7 on account of such claim;
5. The Plan has been accepted by all classes of claims impaired under the Plan excluding insiders of Debtors;
6. Confirmation of the Plan is not likely to be followed by the liquidation or the need for further financial reorganization of Debtors except as proposed in the Plan; and
7. All required Court and United States Trustee fees have been paid, or will be paid, before the Effective Date of the Plan.
8. Notice of the hearing on confirmation of the Plan was adequate and, based upon the foregoing, good cause appears for the entry of an Order confirming the Plan.
9. The Court will issue a separate Order confirming the Plan and setting specified deadlines as set forth in the Plan.

Respectfully Submitted By:

/s/ Kirk Brennan

California Law Office, P.C.

Attorney for Debtors, JAMIE THOMAS and JAMES THOMAS

Dated:

Dec 12, 2011


United States Bankruptcy Judge

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